

**Zoning By-Law Review Committee
Minutes
December 12, 2013**

Present: Ted King and Shirley Smith. Pat Doherty entered the meeting at 7:35 PM.

The meeting was called to order at 7:12 PM. Ted made a motion to approve the minutes from September 24, 2013. Shirley stepped down to second the motion. All were in favor and the motion passed.

**Review Information on Medical Marijuana Treatment Facilities in Accordance with
Passage of Initiative Petition 11-11**

Shirley had researched the Medical Marijuana by-laws of 12 other towns and had read much information on the subject. She shared some of this information with Ted.

Options for Mendon

Option One

Shirley explained that we presently have a note added on to the 12 page Section 3.01, Uses of Land and Structures that would provide a one year moratorium on Medical Marijuana Facilities. This by-law will be voted on in a February STM and Shirley had concerns that the note could be controversial.

**Option Two
Moratorium**

If there was to be a moratorium, she thought it should be as a separate warrant article as was done in Upton at their November STM. The Upton moratorium article was defeated at Town Meeting. Upton voters pointed out that there had been ample time to discuss the issues and that a moratorium could be seen as ignoring the will of the voters.

**Option Three
Zoning District**

The third option would be to allow a Medical Marijuana Facility in the Highway Business District. If a location is not designated, a facility could be placed anywhere in Mendon business zoned property. Shirley pointed out the advantages of the Highway Business District location. The proximity to Milford and Franklin were especially important. Both towns expect to be approved for centers. The Massachusetts Department of Public Health (MDPH) allows 5 facilities per county and will place them where they can serve the largest populations. It is highly unlikely that the MDPH would place two facilities, one in Milford and one in Mendon, so close together. Pat wondered if the MDPH stated any specific distances between facilities.. Shirley didn't know but said she would look into it. Another factor is that State Highway 140 would be able to handle any additional traffic created by the facility.

Shirley presented a draft of a 5 page by-law based on one from the Town of Dennis. This by-law listed the necessary requirements and regulations for a Marijuana Treatment Facility.

**Option Four
Overlay District**

A fourth option could be an overlay district. Shirley suggested that Assessor's Map parcels 82 and 84 on the Mendon/Bellingham town line could be a possibility. The same requirements and regulations for a district location could apply.

Many details are still to be worked out prior to presentation to the Planning Board at their January 13th meeting. The committee decided to study the various options and provide input at our next meeting. This was set for December 30th at 6:30.

Special Concern

The MDPH regulations allow for a patient to grow their own marijuana if there is no treatment center within a reasonable distance of their home. Since the locations considered are within reasonable distance of where there will be a treatment facility, the committee discussed the possibility of prohibiting patients from growing their own marijuana. This could present law enforcement problems and it was decided to ask Chief Horne about this.

Pat made a motion to adjourn. Ted seconded the motion. All were in favor and the motion passed. The meeting adjourned at 8:08 PM.

Respectfully submitted,
Shirley Smith